

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS15053-MT-63

Short Title: Access to HS Graduations/Certain Counties. (Local)

Sponsors: Senators Johnson, McInnis, and Sawyer (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT INCREASED ACCESS TO OUTDOOR GRADUATION
3 CEREMONIES IN PUBLIC AND NONPUBLIC HIGH SCHOOLS IN CERTAIN
4 COUNTIES.

5 Whereas, G.S. 115C-47(4) provides that "[l]ocal boards of education shall make all
6 rules and regulations necessary for the conducting of extracurricular activities in the schools
7 under their supervision"; and

8 Whereas, the First Amendment of the Constitution of the United States protects "the
9 right of the people peaceably to assemble"; Now, therefore,
10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** Notwithstanding Article 1A of Chapter 166A of the General Statutes,
12 any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter
13 166A of the General Statutes, or any other provision of law, for the remainder of the scheduled
14 2020-2021 school year, the following shall apply regarding attendance at outdoor graduation
15 ceremonies for all public and nonpublic high schools:

16 (1) For each outdoor facility where a graduation ceremony is held, the number of
17 attendees shall amount to no more than fifty percent (50%) of the capacity
18 stated on the facility's certificate of occupancy under the North Carolina State
19 Building Code or, in the event the facility does not have a certificate of
20 occupancy, no more than seven persons for every 1,000 square feet.

21 (2) In allowing access to outdoor graduation ceremonies, schools shall comply
22 with all requirements of the StrongSchoolsNC Public Health Toolkit (K-12),
23 as that guidance existed on February 2, 2021, to the extent those requirements
24 do not conflict with this act.

25 **SECTION 2.** For purposes of this act, the term "attendee" does not include
26 graduating students, employees of a public or nonpublic high school, entertainers, or staff
27 providing support for a graduation ceremony.

28 **SECTION 3.** Nothing in this act shall be construed to prohibit a school, in the
29 discretion of the governing body of that school, from implementing stricter access to an outdoor
30 graduation ceremony.

31 **SECTION 4.** This act applies only to Anson County, Iredell County, Moore County,
32 Richmond County, Scotland County, Union County, and Yadkin County.

33 **SECTION 5.** This act is effective when it becomes law.

